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Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 13 MOTOR VEHICLE ADMINISTRATION — VEHICLE EQUIPMENT

Notice of Proposed Action

[14-182-P]

The Administrator of the Motor Vehicle Administration proposes to:

- (1) Amend Regulation .01 and repeal Regulations .02—.04 under **COMAR 11.13.01 Vehicle Brakes**;
- (2) Amend Regulations .02—.04, .09, and .10 under **COMAR 11.13.02 Pneumatic Vehicle Tires**;
- (3) Amend Regulations .01 and .03 under **COMAR 11.13.03 Bumpers for Class A, Class E, and Class M Motor Vehicles**;
- (4) Amend Regulations .01, and .03—.05 under **COMAR 11.13.06 Speedometer and Odometer on Passenger Cars and Light Trucks**;
- (5) Amend Regulations .01 and .02 under **COMAR 11.13.07 Vehicle Identification Numbers**;
- (6) Amend Regulations .03, .07, .08, and .10 and repeal Regulation .09 under **COMAR 11.13.08 Vehicle Connecting Devices and Towing**

Methods;

- (7) Repeal Regulations .01—.05 under **COMAR 11.13.09 Nursery School Vehicle Seat Belts and Use**; and
- (8) Regulations .01—.04 and .08 under **COMAR 11.13.11 Load Covers**.

Statement of Purpose

The purpose of this action is to eliminate outdated regulatory requirements to make the regulations consistent with current practices.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tracey C. Sheffield, Regulations Coordinator, Motor Vehicle Administration, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call 410-768-7545, or email to tsheffield@mdot.state.md.us, or fax to 410-768-7506. Comments will be accepted through July 28, 2014. A public hearing has not been scheduled.

11.13.01 Vehicle Brakes

Authority: Transportation Article, §§12-104(b) and 22-305, Annotated Code of Maryland; 49 CFR §571.116

.01 Motor Vehicle Hydraulic Brake Fluid.

A. Pursuant to the provisions of Transportation Article, §22-305, Annotated Code of Maryland, the Motor Vehicle Administration adopts Federal Motor Vehicle Safety Standard Number 116, "Motor Vehicle Brake Fluids", 49 CFR §571.116 [(1993)], *as amended*, which is incorporated by reference.

B. A person, firm, or corporation may not distribute, have for sale, offer for sale, or sell any hydraulic brake fluid, for use in motor vehicles, unless [the Motor Vehicle Administration has on file a certification from the American Association of Motor Vehicle Administrators that] the hydraulic brake fluid complies with the safety standard set forth in §A of this regulation.

11.13.02 Pneumatic Vehicle Tires

Authority: Transportation Article, §§12-104(b), 22-405, 22-405.2, and 22-405.5, Annotated Code of Maryland

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

[(1) "Commercial vehicle" means trucks, tractors, truck tractors, semitrailers, trailers, buses, and any other highway-use vehicle not using passenger car type tires.]

[(2)] (1)—[(3)] (2) (text unchanged)

[(4) "Passenger car" means vehicles designed as passenger cars, station wagons, or any other vehicle using passenger car type tires.]
[(5)] (3) (text unchanged)

.03 Incorporation by Reference.

- A. (text unchanged)
- B. Documents Incorporated.
 - (1) 49 CFR §571.109 [and 571.117 (1993).], *as amended*;
 - (2) 49 CFR §571.117, *as amended*;
 - (3) 49 CFR §571.119, *as amended*;
 - (4) 49 CFR §571.139, *as amended*; and
 - [(2)] (5) 49 CFR 574 [(1993)], *as amended*.

.04 Sale of Tires.

A. A person, firm, or corporation may not sell, offer for sale, or distribute any new [passenger car] tire or any [passenger car] vehicle equipped with new tires for use on the highways of this State that do not comply with the *applicable* provisions of 49 CFR §§571.109, 571.119, and 571.139 and 49 CFR 574.

B. A tire manufacturer may not manufacture [passenger car] tires for sale or use as new tires in this State that do not comply with the *applicable* provisions of 49 CFR §§571.109, 571.119, and 571.139 and 49 CFR 574.

C. A retreaded tire shall be manufactured in accordance with the provisions of 49 CFR 571.117.

[C.] D.—[D.] E. (text unchanged)

.09 Unsafe Tires.

[A.] A tire is considered unsafe if it:

[(1)] A.—[(8)] H. (text unchanged)

[B. A tire is considered unsafe if it is not properly identified as follows:

(1) Each tire shall be labeled with the name of the manufacturer, or brand name and number assigned to the manufacturer, in the manner specified in 49 CFR 574;

(2) Except as provided in §B(1) of this regulation, each tire shall be conspicuously labeled on both sidewalls with each of the following permanently molded into or onto the tire:

- (a) One size designation, except that equivalent inch and metric size designations may be used,
- (b) Maximum permissible inflation pressure,
- (c) Maximum load rating,
- (d) Composition of the material used in the ply cord,
- (e) Actual number of plies in the sidewall and the actual number of plies in the tread area, if different,
- (f) The word "tubeless" or "tube type", as applicable,
- (g) The word "radial", if a radial ply tire;

(3) Each new tire and each retreaded tire shall be conspicuously labeled on one sidewall by permanently branding or molding into or onto the sidewall a tire identification number in a manner and containing the information as specified in 49 CFR 574.

C. A retreaded tire shall be manufactured in accordance with the provisions of 49 CFR §571.117.]

.10 Studded Snow Tires.

A. (text unchanged)

B. Sale and Use of Studded Snow Tires.

(1) (text unchanged)

(2) From November 1 through March 31, vehicles *registered in Allegany, Carroll, Frederick, Garrett, and Washington counties* may be equipped with studded snow tires *and* may be operated only in Allegany, Carroll, Frederick, Garrett, and Washington counties.

C. Tire Stud Standards.

(1) —(2) (text unchanged)

[(3) Each tire stud manufacturer, before the sale, offer for sale, installation, or distribution of any tire stud for use in this State, shall make application to the Administrator for approval of the tire stud to be sold, offered for sale, installed, or distributed. The application shall be accompanied by samples of the tire stud and such data as may be required to demonstrate compliance with the provisions of this regulation.]

[(4)] (text unchanged)

11.13.03 Bumpers for Class A, Class E, and Class M Motor Vehicles

Authority: Transportation Article, §§12-104(b) and 22-105, Annotated Code of Maryland; 49 CFR 581

.01 Purpose.

In accordance with Transportation Article, §22-105, Annotated Code of Maryland, the Motor Vehicle Administration and the Automotive Safety Enforcement Division of the [Maryland] *Department of State Police* have set forth the following requirements for bumpers on Class A passenger vehicles, Class E truck vehicles with a registered GVW of 18,000 pounds or less, and Class M multipurpose vehicles.

.03 Bumper Standards.

Each required bumper shall:

A. Comply with all applicable provisions of the Transportation Article--Maryland Vehicle Law, Code of Maryland Regulations, and all applicable Federal Motor Vehicle Safety Standards and Regulations, *including 49 CFR 581*, as promulgated by the National Highway Traffic Safety Administration;

B.—G. (text unchanged)

H. On a Class E truck vehicle with a registered GVW of more than 10,000 pounds but not more than 18,000 pounds[, be]:

(1) Be not higher than 30 inches from the bottom of the main horizontal bar of the bumper to the ground on which the vehicle stands; or

(2) If truck is used for spraying agricultural crops, be not higher than 32 inches from the bottom of the main horizontal bar of the bumper to the ground on which the vehicle stands;

I. (text unchanged)

11.13.06 Speedometer and Odometer on Passenger Cars and Light Trucks

Authority: Transportation Article, §§12-104(b) and 22-415, Annotated Code of Maryland; 49 CFR 580

.01 Components.

Speedometers and odometers, when inspected, shall have legible dials and calibrations and register speed and distance traveled in miles or kilometers, or both, and be connected and operable. When the odometer is calibrated only in kilometers, a written notice shall be posted on the instrument panel in full view of the driver, and the notice shall contain the formula for converting kilometers to miles. Example: "Kilometers" divided by [1.6] 1.609 equals "miles".

.03 Odometer Disclosure Certification.

At the time of sale of a vehicle, the seller or transferor shall furnish the buyer an odometer disclosure certification which shall include the vehicle's odometer reading and any reading which has been attached to the vehicle's door frame in accordance with Regulation .02 of this chapter. The odometer disclosure certification shall be presented to the *Motor Vehicle* Administration upon application for title.

.04 Verification of Odometer Disclosure Certification.

A. The *Motor Vehicle* Administration, upon receipt of the odometer disclosure certification, shall verify that the vehicle's odometer reading included in the certification corresponds with the odometer reading on the application for title accompanying the certification.

B. If a vehicle has been repossessed, the *Motor Vehicle* Administration shall verify that any odometer reading on any documents submitted to the *Motor Vehicle* Administration corresponds with the odometer readings on both the application for title and the odometer disclosure certification.

.05 Filing Odometer Disclosure Certification.

A. Upon verification that all odometer readings correspond, the mileage indicated on the odometer disclosure certification shall be assumed correct and made a part of the permanent record of the *Motor Vehicle* Administration.

B. As part of the permanent record, the *Motor Vehicle* Administration may not change the mileage reflected on the original title or any duplicate titles issued unless the:

(1) (text unchanged)

(2) *Motor Vehicle* Administration determines that the actual mileage is greater than the mileage reflected in the original title or any duplicate titles, and the owner requests a change to the known actual mileage.

11.13.07 Vehicle Identification Numbers

Authority: Transportation Article, [§§12-103, 12-104, 22-503, and 22-504] §12-104(b), Annotated Code of Maryland; 49 CFR 565

.01 All New Vehicles.

All classes of new motor vehicles produced by either domestic or foreign manufacturers presented for titling in Maryland shall conform to [Federal Motor Vehicle Safety Standard No. 115, listed in CFR 49 §§571-115] 49 CFR 565, as amended.

.02 Other Vehicles.

All other vehicles to be titled in this State shall be accompanied by proof of the identity of the vehicle that the *Motor Vehicle* Administration reasonably requires.

11.13.08 Vehicle Connecting Devices and Towing Methods

Authority: Transportation Article, [§24-107(g)] §12-104(b) and 24-107, Annotated Code of Maryland

.03 Definitions.

A. (text unchanged)

B. Terms Defined.

[(1) "Administrator" means the Administrator of the State Motor Vehicle Administration.]

[(2)] (1)—[(12)] (11)(text unchanged)

.07 Identification.

A. Device and Component Marking. Each coupling and each hitch shall be legibly and permanently marked on at least one hitch component or related component marketed with the hitch, as shown below. When hitch components (except hitch balls and their hardware) are marketed separately, the following markings shall also appear on at least one of the components in the package or marketing unit:

(1) Manufacturer's or distributor's name, initials, trademark, or trade name[, or code symbol (Code symbol shall mean one assigned and approved by the Administrator.)];

(2)—(4) (text unchanged)

B.—C. (text unchanged)

.08 Identification Installation Maintenance Compliance.

A. Marking and Labelling. Each vehicle connecting device, method, or system shall be marked and labelled as required by [Regulations .07 and .09B] *Regulation .07*. The marking and labelling shall show the responsible manufacturer. A pressure sensitive label will be acceptable if of a weather-resistant type which cannot be removed without destroying or defacing it.

B.—C. (text unchanged)

.10 Tables.

A. Table 1.

LIGHT SERVICE DEVICES
BREAKING STRENGTH FOR COUPLINGS AND BALLS

| Trailer Classification | Trailer Couplings Designation | Minimum Ball Diameter-Inches (Where Ball-Type hitch is used) | Minimum Breaking Point Requirements | Pounds |
|---|-------------------------------|--|--|--------|
| Class 1 (2,000 lbs. <i>or less</i> MGTW) | No. 1 | 1-7/8 | Longitudinal tension: | 6,000 |
| | | | Longitudinal Compression: | 6,000 |
| | | | Transverse thrust: | 2,000 |
| | | | Vertical tension | 2,500 |
| | | | Vertical compression: | 2,500 |
| Class 2 (2,001 thru 3,500 lbs. MGTW) | No. 2 | 2 | Longitudinal tension: | 10,500 |
| | | | Longitudinal compression: | 10,500 |
| | | | Transverse thrust: | 3,000 |
| | | | Vertical tension: | 4,500 |
| | | | Vertical compression: | 4,500 |
| Class 3 (3,501 thru 5,000 [thru 10,000] lbs. MGTW) | No. 3 | 2 | Longitudinal tension: | 15,000 |
| | | | Longitudinal compression: | 15,000 |
| | | | Transverse thrust: | 4,000 |
| | | | Vertical tension: | 7,000 |
| | | | Vertical compression: | 7,000 |
| Class 4 ([5,000] 5,001 thru 10,000 lbs. MGTW) | No. 4 | Ball & Bolt shall be of such size and strength as to conform to the minimum breaking strength requirements of the mating coupling required for the specific load of Class 4 trailer. | Longitudinal tension: MGTW x 3 Longitudinal compression: MGTW x 3 Transverse thrust: MGTW x 1 Vertical tension: MGTW x 1.3 Vertical compression: MGTW x 1.4 | |

Figure 1 (text unchanged)

B —E. (text unchanged)

11.13.11 Load Covers

Authority: Transportation Article, §§12-104(b), 23-104, 23-105, and 24-106.1, Annotated Code of Maryland

.01 Scope and Applicability.

A. (text unchanged)

B. These regulations apply to a vehicle *carrying loose material which is not otherwise exempted under Regulation .02 of this chapter*:

- (1) Carrying loose material which is not otherwise exempted under Regulation .02 ;
- (2) Manufactured after July 1, 1990 if carrying loose material and not otherwise exempted under Regulation .02; or
- (3) After January 1, 1992 if carrying loose material and if not otherwise exempted under Regulation .02].

.02 Exemptions.

A vehicle meeting the requirements of Transportation Article, §24-106.1(e)(1) [and (2)], Annotated Code of Maryland, and Regulation [.04] .04A of this chapter is exempt from the load cover requirements of these regulations.

.03 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) "Enclosures" means the front, rear, and sides of a vehicle bed as defined in Transportation Article, [§24-106.1(d)(1)] §24-106.1(d), Annotated Code of Maryland.

(3)—(4) (text unchanged)

(5) "Safety equipment repair order" means a safety equipment repair order as defined in COMAR [11.14.01.01B(17)] 11.14.01.01B(30).

(6)—(7) (text unchanged)

.04 Load Covers.

A. Load covers are not required on:

(1)—(4) (text unchanged)

(5) Any construction vehicle or mining equipment while crossing a highway between construction or mining sites; *or*

(6) Within the Port of Baltimore for a distance not to exceed 1 mile, any vehicle carrying a load of loose material between a stockpile or storage facility and a vessel docked at the port; *or*

(7) Any other vehicle otherwise exempted and manufactured on or before July 1, 1990 and carrying loose material, provided no part of the load is within 6 inches of the top of any enclosure it touches].

B. Load covers are required when carrying loose material on a:

(1)—(2) (text unchanged)

[(3) Vehicle not otherwise exempt and manufactured on or before July 1, 1990 and carrying loose material if the top of the load is within 6 inches of any of the enclosures it touches;

(4) Vehicle manufactured after July 1, 1990 and not otherwise exempt regardless of how the vehicle is loaded;]

[(5)] (3) Vehicle not otherwise exempted after January 1, 1992 *regardless of how the vehicle is loaded*.

.08 Effective Dates.

This chapter applies to *any vehicle after January 1, 1992, regardless of the date of manufacture, when carrying a load of loose material and the vehicle is not otherwise exempted under Regulation .02 of this chapter*:

A. To any vehicle manufactured after July 1, 1990 when carrying a load of loose material if the vehicle is not otherwise exempted under Regulation .02; and

B. After January 1, 1992, to any vehicle, regardless of the date of manufacture, when carrying a load of loose material and the vehicle is not otherwise exempted under Regulation .02].

MILT CHAFFEE

Administrator

Motor Vehicle Administration

MARCUS L. BROWN

Secretary of State Police